

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

FILED  
U.S. DISTRICT COURT  
DISTRICT OF KANSAS

2012 FEB -9 PM 3:07

SHARON GOODEN, )

Plaintiff, )

Vs. )

CITY OF NORTH KANSAS CITY, )

MISSOURI, ET AL., )

Defendants. )

Case No. 11-CV-2565 CM/JPO

JIMOTHY M. O'BRIEN  
CLERK  
DEPUTY  
KANSAS CITY, KS

**RESPONSE TO MOTION TO DISMISS BY DEFENDANT CASESARS  
ENTERTAINMENT, INC.**

Plaintiff respectfully moves this Court to deny Defendant's motion to dismiss them from this action for lack of personal jurisdiction and in the alternate transfer venue to the United States District Court for the Western District of Missouri pursuant to 28 U.S.C. , section 1406(a) and 1631.

**SUMMARY OF ARGUMENT**

1. The Defendant argues that it has insufficient minimum contacts with the state of Kansas. The Harrah's North Kansas City property is located in the metropolitan area of Kansas City Missouri. This metropolitan area borders the state of Kansas. Since discovery in this case has been stayed, the actual contacts within the state of Kansas has not been ascertained. For example many residents of reside in Kansas but work in Missouri in Kansas City and its Missouri suburbs. The major supply vendors that service Harrah's are located in Kansas (i.e. Sysco Foods). It is feasible that the security employees who originally detained Plaintiff resided in Kansas.
2. The Defendant argues that Plaintiff has failed to state a claim against Defendant upon which relief may be granted. Defendant stats that Plaintiff's Complaint lacks any factual allegations. The purpose of the Court is to determine what is factual based upon an abundance of the evidence. The Plaintiff alleges that the defendants unlawfully detained Plaintiff, denied Plaintiff her constitutional rights, used excessive force against Plaintiff and caused Plaintiff mental anguish. Since an security employee initially detained Plaintiff, that action was the "smoking gun" that led to the other events. What is factual or conclusory should not be determined by the Defendant nor the Plaintiff. For that reason, the Plaintiff has requested a trial by jury.

WHEREFORE, based upon the above, Plaintiff respectfully pray this Court to deny Defendant's motion to dismiss and, in the alternate, transfer venue to the United States District Court for the Western District of Missouri.

Respectfully,

Sharon Gooden, Plaintiff  
P.O. Box 15301  
Shawnee Mission, KS 66285

*Mrs. Sharon Gooden* 2/9-2012

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed with the Clerk of the Court on February 9, 2012 and also a copy was mailed, by U.S. Mail, this 23<sup>rd</sup> day of January, 2012, to the following:

Matthew T. Swift/K. Christopher Jayaram  
Jprm Au;ward & Bandy, LLC  
2600 Grand Boulevard, Suite 1100  
Kansas City, MO 64108